

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

.057

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

90/089993

INTERNATIONAL APPLICATION NO.

PCT/FR00/02805

INTERNATIONAL FILING DATE

October 10, 2000

PRIORITY DATE CLAIMED

October 11, 1999

TITLE OF INVENTION

DERIVATIVES OF HETEROCYCLES WITH 5 MEMBERS, THEIR PREPARATION  
AND THEIR USE AS MEDICAMENTS

APPLICANT(S) FOR DO/EO/US

CHABRIER DE LASSAUNIERE et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ has been transmitted by the International Bureau.
- c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ have been transmitted by the International Bureau.
- c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
- d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). (Amended pages 246-253)

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
- ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: PCT/IB/332; Amended pages 252-259 in French with French International Preliminary Examination Report

21. ☒ The following fees are submitted.

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO. .... \$1000.00International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO. .... \$860.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. .... \$710.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4). .... \$690.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4). .... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$18.00	\$
Independent claims	- 3 =		x \$80.00	\$
			+ \$270.00	\$

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

TOTAL OF ABOVE CALCULATIONS = \$1000.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2. + \$

SUBTOTAL = \$1000.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)). \$

TOTAL NATIONAL FEE = \$1000.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 40.00

TOTAL FEES ENCLOSED = \$1040.00

Amount to be  
refunded: \$  
charged: \$

PTO Form 2038 is enclosed.

a. ☒ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 02-2275. A duplicate copy of this sheet is enclosed.d. ☒ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card  
information should not be included on this form. Provide credit card information and authorization on PTO-2038.NOTE: Where an appropriate time has elapsed under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to maintain the application to pending status.

SEND ALL CORRESPONDENCE TO:

20311

PATENT TRADEMARK OFFICE

Charles A. Muserlian  
Bierman, Muserlian and Lucas  
600 Third Avenue  
New York, NY 10016

SIGNATURE

Charles A. Muserlian  
NAME

19,683

REGISTRATION NUMBER

PATENT APPLICATION SERIAL NO. **10/089993**

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

04/16/2002 MALI11 00000025 022275 10089993  
01 FC:960 1040.00 OP

Adjustment date: 07/01/2002 SAHVED1  
04/16/2002 MALI11 00000025 10089993  
01 FC:960 -1040.00 OP

07/01/2002 SAHVED1 00000002 10089993  
01 FC:970 890.00 OP

Refund Ref: 0030008122  
07/01/2002

PTO-1556  
Credit Card Refund Total: \$150.00  
(5/87)

Am Exp.: XXXXXXXXXXXX1021

10/089993


1015 Rec'd PCT/PTO 04 APR 2002

427.057

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Date of Deposit: April 4, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" Service under 37 CFR 1.10 on the date indicated above and is addressed to Asst. Commissioner for Patents, Washington, D.C. 20231.



Charles A. Muserlian